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EXAMINER				
GILKEY, CARRIE STRODER				
ART UNIT		PAPER NUMBER		
3689				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/696,972

Applicant(s)

SORENSEN, CARSTEN

Examiner

CARRIE STRODER GILKEY

Art Unit

3689

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 11, 13-18, 38-43, 45, 46 and 48-54 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 11, 13-18, 38-43, 45, 46 and 48-54 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-SB08)
Paper No(s)/Mail Date 08 November 2011.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. This is in response to the applicant's communication filed on 08 November 2011, wherein:

Claims 11, 13-18, 38-41, 43, 45-46, and 48-54 are currently pending;

claims 11, 13, 38, and 45 are currently amended;

claims 1-10, 12, 19-37, 42, 44, and 47 are cancelled; and

claims 51-54 are new.

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 52-53 (the second claim 52) have been renumbered 53-54. Applicant appears to have accidentally repeated the claim numbering, so as to have two claims numbered "52." The second claim marked 52 is referred to as claim 53, and the claim originally numbered 53 is now referred to as claim 54.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 11, 13-18, 38-41, 43, 45-46, and 48-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beran et al. (US 20020055888), in view of Hajmiragha (US 6289460), and further in view of Heimermann et al. (US 7110976).**

Referring to claim 11:

Beran discloses a computer implemented method that solicits a response to a request for supplier quotation (RFQ), the RFQ being generated by a processor at a requester computing system and including job information for a requested job indicative of terms for delivery of goods or services from a supplier, the method comprising:

providing registration information from the requester computer system to a registration component ([0016] "The software system implementation includes an agency registration module 200...the agency registration module 200 allows agencies to initially profile themselves to the commerce system 100, including identifying the system administrator...agency registration module 200 further enables entry of general agency information..." where the agency is the requester and by "profil[ing] themselves," Beran indicates that the information is being provided from the requester computer system, since the user uses the system to provide the information);

downloading an RFQ generation engine to the requester computing system ([0016] and [0022]-[0026]; "Fig. 2 depicts the preferred software modules and their configuration within the Internet commerce system 100...The software system implementation includes...an agency requisitioner module 208..."[0016] and where using the internet via a web page to request document data as in [0025] requires that the information be downloaded);

after the RFQ engine is downloaded to the requester computing system, displaying a predetermined RFQ template having a plurality of displayed fields and using the RFQ generation

engine at the requester computer system to enter the job information into the plurality of displayed fields, the plurality of displayed fields comprising: ([0022]-[0030] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0025] and "On the second HTML page of the request, the requisitioner 300 enters other line item data including the quantity of the goods"[0029] and where the web pages are interpreted as an RFQ template and the web page must be downloaded before it can be used to enter the request information and where "a requisitioner first enters request document data..."[0025] lets the reader understand that the web page requests data through the use of a form, which requests data which is displayed on the form and where the web page is, therefore, a template);

a category field receiving an indication of a category for the requested job ([0027]-[0028] "class and item values"[0027]

indicate category, such as paper, as shown in the example in [0028]);

a job description field receiving a description for the requested job ([0027]-[0028] "The group and detail digits correspond to specific details regarding the goods that are commonly requested by that particular agency");

a date of delivery field receiving a delivery date for the requested job ([0025] "delivery dates"); and

an expiration date field receiving an expiration date for the RFQ ([0060] "This record will continue to store vendor responses until the bidding closing date specified in the original RFX record" where the bidding closing date is interpreted as the expiration date for the RFQ).

Beran discloses a system that handles documents for requisitioning goods and services. Beran discloses where the document is an RFQ template including the entered job information ([0025]-[0028]; "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software

enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0027] and where the web page is interpreted as a template). Beran does not disclose using the processor to save the document at a predetermined location in a data store local to a computer system at the requester; and using the processor to send indexing information related to the document to an index remote from the computer system of the requester.

However, Hajmiragha discloses a similar system for document management. Hajmiragha teaches

using the processor to save the document in a data store local to the requester computer system (col. 5, line 61 thru col. 6, line 8 and col. 7, lines 10-21; "Document publication is the process by which a user extracts a copy of the document" and "Then, the user appoints a target directory for the file" and "The external document is indexed once and access to the external document is managed by the document manager 21 using the Access Control List facilities." and where the user may save

the document in a local data store and then designate the document as an external document); and

using the processor to send indexing information related to the document to an index remote from the requester computer system (col. 7, lines 10-21; "The external document is indexed..." and "...access speed to documents externally stored in a repository...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran to incorporate saving the document in a local data store and sending indexing information as taught by Hajmiragha because this would provide a manner for allowing users at a remotely located computer system to perform document management (abstract), thus aiding the client by allowing access as needed.

Beran and Hajmiragha disclose a document management system. Beran and Hajmiragha do not disclose the RFQ template having a field comprising an award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the requester, one or more replies to the RFQ

template from one or more suppliers; and automatically evaluating the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation.

However, Heimermann teaches a similar system which handles documents for requisitioning goods and services. Heimermann teaches

the RFQ template having a displayed field comprising an award criteria field receiving an indication of criteria considered in awarding the requested job to a supplier (col. 20, lines 14-18 and col. 30, line 51 thru col. 31, line 28; "Orders...are posted in the Internet Web site procurement forum by the system as a solicitation for bids to fill such orders"[col. 20, lines 14-18] and "...the Shipping Facility determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and

where "orders" are interpreted as an RFQ as they are defined as requests for bids, or quotations and where the choice of whether to base the award primarily on timely delivery or cost savings is an indication of award criteria);

receiving, at the requester computing system, one or more replies to the RFQ template from one or more suppliers (col. 29, lines 46-56; "...lowest-price bid..."); and

automatically evaluating, at the requester computing system, the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation (col. 30, line 51 thru col. 31, line 28; "...the Shipping Facility determines which shipper to whom to award the shipment...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran and Hajmiragha to incorporate the RFQ template having a field comprising an award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the requester, one or more replies to the RFQ template from one or more suppliers; and automatically evaluating the one or more received replies based

on the award criteria in the RFQ template and identifying a supplier based on the evaluation as taught by Heimermann because this would provide a manner for automatically making awards of the requested jobs (col. 7, lines 64-67), thus aiding the client by reducing the need for a labor-intensive system (col. 8, lines 60-65).

Referring to claim 13:

Beran discloses a computer implemented method that solicits a response to a request for supplier quotation (RFQ), the RFQ being generated by a processor at a requester computing system and including job information for a requested job indicative of terms for delivery of goods or services from a supplier, the method comprising:

displaying a predetermined RFQ template including a plurality of displayed fields for receiving job information ([0022]-[0030])

"As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a

confirming number"[0025] and "On the second HTML page of the request, the requisitioner 300 enters other line item data including the quantity of the goods"[0029] where the web pages are interpreted as an RFQ template and where "a requisitioner first enters request document data..."[0025] lets the reader understand that the web page requests data through the use of a form, which requests data which is displayed on the form and where the web page is, therefore, a template)

entering the job information into the plurality of displayed fields of the RFQ template, wherein the job information is entered using the requester computer system and comprises: ([0022]-[0030] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0025]);

an expiration date of the RFQ ([0060] "This record will continue to store vendor responses until the bidding closing date

specified in the original RFX record" where the bidding closing date is interpreted as the expiration date for the RFQ);

a category and description of the requested job ([0027]-[0028] "class and item values"[0027] indicate category, such as paper, as shown in the example in [0028] and "The group and detail digits correspond to specific details regarding the goods that are commonly requested by that particular agency" [0027] where the group and detail digits describe the job);

Beran discloses a system that handles documents for requisitioning goods and services. Beran discloses where the document is an RFQ template including the entered job information ([0025]-[0028] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0027] and where the web page is interpreted as a template). Beran does not disclose filter criteria indicative of suppliers authorized to reply to the document template; using the processor to save the document

at a predetermined location in a data store local to a computer system at the requester; and using the processor to send indexing information related to the document to an index remote from the computer system of the requester.

However, Hajmiragha discloses a similar system for document management. Hajmiragha teaches

filter criteria indicative of suppliers authorized to reply to the document template (col. 7, lines 33-54; "During Access Control List definition, a document acquires the following attributes: Users allowed access to the document..."); a category and description of the requested job, (col. 7, lines 22-62; "...document type..." is interpreted as category, "For example, John Smith is requested to review, or sign, a given document by a specific date" where the requested activity is the job description field and the date is the date of delivery);

using the processor to save the document in a data store local to the requester computer system (col. 5, line 61 thru col. 6, line 8 and col. 7, lines 10-21; "Document publication is the process by which a user extracts a copy of the document" and "Then, the user appoints a target directory for the file" and

"The external document is indexed once and access to the external document is managed by the document manager 21 using the Access Control List facilities." and where the user may save the document in a local data store and then designate the document as an external document); and

using the processor to send indexing information related to the document to an index remote from the requester computer system (col. 7, lines 10-21; "The external document is indexed..." and "...access speed to documents externally stored in a repository...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran to incorporate saving the document in a local data store and sending indexing information as taught by Hajmiragha because this would provide a manner for allowing users at a remotely located computer system to perform document management (abstract), thus aiding the client by allowing access as needed.

Beran and Hajmiragha disclose a document management system.

Beran and Hajmiragha do not disclose the RFQ template having a

field comprising an award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the requester, one or more replies to the RFQ template from one or more suppliers; and automatically evaluating the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation.

However, Heimermann teaches a similar system which handles documents for requisitioning goods and services. Heimermann teaches

the RFQ template having a displayed field comprising an award criteria (col. 20, lines 14-18 and col. 30, line 51 thru col. 31, line 28; "Orders...are posted in the Internet Web site procurement forum by the system as a solicitation for bids to fill such orders"[col. 20, lines 14-18] and "...the Shipping Facility determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-

weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and where "orders" are interpreted as an RFQ as they are defined as requests for bids, or quotations and where the choice of whether to base the award primarily on timely delivery or cost savings is an indication of award criteria);

receiving, at the requester computing system, one or more replies to the RFQ template from one or more suppliers (col. 29, lines 46-56; "...lowest-price bid..."); and

evaluating, at the requester computing system, the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation (col. 30, line 51 thru col. 31, line 28; "...the Shipping Facility determines which shipper to whom to award the shipment...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran and Hajmiragha to incorporate the RFQ template having a field comprising an award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the requester, one or more replies

to the RFQ template from one or more suppliers; and automatically evaluating the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation as taught by Heimermann because this would provide a manner for automatically making awards of the requested jobs (col. 7, lines 64-67), thus aiding the client by reducing the need for a labor-intensive system (col. 8, lines 60-65).

Referring to claims 14:

Hajmiragha teaches sending requester filter criteria indicative of suppliers authorized to reply to the document (col. 7, lines 33-54; "A set of process flow templates are used during the Access Control List definition process." and "During Access Control List definition, a document acquires the following attributes: Users allowed access to the document...").

Referring to claim 15:

Beran discloses receiving a reply to the document from a supplier ([0060] "...the vendor can submit the data as its bid").

Referring to claims 16:

Heimermann teaches entering award criteria indicative of criteria considered in awarding a job corresponding to the RFQ to a supplier ([0183]).

Referring to claim 17:

Heimermann teaches

evaluating the received reply based on the award criteria ([0183]); and

suggesting a winning supplier based on the evaluation of the award criteria ([0183]).

Referring to claim 18:

Heimermann teaches weighting the award criteria according to a predetermined weight (paragraph 183; the system primarily makes awards based on price, but also "factors in" other considerations, which necessarily requires assigning a predetermined weight to the considerations).

Referring to claim 38:

Beran discloses a computer implemented method that employs a processor, the method comprising:

receiving an RFQ template at a supplier computing system describing a requested job, the RFQ template including a plurality of fields displayed at the supplier computing system, the plurality of displayed fields comprising: ([0022]-[0030] and [0057]-[0060] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0025] and "On the second HTML page of the request, the requisitioner 300 enters other line item data including the quantity of the goods"[0029] and where the web pages are interpreted as an RFQ template and where "a requisitioner first enters request document data..."[0025] lets the reader understand that the web page requests data through the use of a form, which requests data which is displayed on the form and where the web page is, therefore, a template and

"...vendors that received the original RFX"[0058] where the vendor is interpreted as a supplier);

a description field of the requested job ([0027]-[0028] "The group and detail digits correspond to specific details regarding the goods that are commonly requested by that particular agency");

a date of delivery field ([0025] "delivery dates"); and

an expiration date field of the RFQ ([0060] "This record will continue to store vendor responses until the bidding closing date specified in the original RFX record" where the bidding closing date is interpreted as the expiration date for the RFQ);

using an RFQ reply engine at the supplier computing system to generate a reply to the RFQ template by providing information requested in the RFQ template ([0060] "...the vendor completes a response data page 700. Preferably, this page prompts the vendor to enter a price for the goods or services requested and any comment that the vendor desires to include regarding any desired transaction terms" where the data page 700 is interpreted as an RFQ reply engine); and

transmitting the reply from the supplier computing system to a manufacturer computer system that generated the RFQ template ([0060]-[0061] "The buyer has the option of viewing the vendor responses" and where the reply must be transmitted to the computer at which the buyer views the reply).

Beran discloses a system that handles documents for requisitioning goods and services. Beran discloses where the document is an RFQ template including the entered job information ([0025]-[0028]; "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0027] and where the web page is interpreted as a template). Beran does not disclose registering with a document index builder; and receiving a document template from the document index builder.

However, Hajmiragha discloses a similar system for document management. Hajmiragha teaches

registering with a document index builder (col. 6, lines 24-29;
"The designated external system must be registered..."); and

receiving a document template from the document index builder,
(col. 7, lines 33-52 where the reviewer is interpreted as a
supplier, the reviewer receives an email with a link to the
document, which once clicked, results in the document being
downloaded to the reviewer's system, and where the creator of
the document is interpreted as the manufacturer).

It would have been obvious for a person of ordinary skill in the
art (PHOSITA) at the time of invention to modify the system
disclosed in Beran to incorporate registering with a document
index builder; and receiving a document template from the
document index builder as taught by Hajmiragha because this
would provide a manner for allowing users at a remotely located
computer system to perform document management (abstract), thus
aiding the client by allowing access as needed.

Beran and Hajmiragha disclose a document management system.
Beran and Hajmiragha do not disclose an award criteria field for
the requested job, the award criteria field identifying one or

more of the plurality of fields in the RFQ template and being indicative of a manner in which criteria entered into the one or more fields will be considered by a manufacturer in awarding the requested job to a supplier.

However, Heimermann teaches a similar system which handles documents for requisitioning goods and services. Heimermann teaches

an award criteria field for the requested job, the award criteria field identifying one or more of the plurality of fields in the RFQ template and being indicative of a manner in which criteria entered into the one or more fields will be considered by a manufacturer in awarding the requested job to a supplier (col. 30, line 25 thru col. 31, line 6; "...the Shipping Facility determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and

where the posting of the request for shipment includes the "specifications as to the shipment" which includes desired date of delivery and the weighting of the terms is indicative of the manner in which the criteria, such as timely delivery, will be considered in awarding the shipping job).

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran and Hajmiragha to incorporate an award criteria for the requested job as taught by Heimermann because this would provide a manner for automatically making awards of the requested jobs (col. 7, lines 64-67), thus aiding the client by reducing the need for a labor-intensive system (col. 8, lines 60-65).

Referring to claim 39:

As above, Beran discloses where the document is an RFQ.

Beran does not disclose; however, Hajmiragha teaches the document template further including filter criteria accessible by the suppliers to identify RFQs for reply (col. 10, lines 16-19; a searching and filtering capability).

Referring to claim 40:

Beran discloses the RFQ template further comprising a geographic location for the service provider (paragraph 19; "The system administrator can also enter data regarding agency delivery points, local area business preferences, miscellaneous agency-wide default values and any general requirements or instructions for documents originating from the agency.").

Referring to claims 41 and 51:

While Hajmiragha, Beran, and Heimermann disclose document management systems, the prior art does not disclose a field for specifying quality standards.

However, the Examiner asserts that a field for specifying quality standards is a label for the items and adds little, if anything, to the claimed acts or steps and thus does not serve to distinguish over the prior art. Any differences related merely to the meaning and information conveyed through labels (i.e., the type of the item) which does not explicitly alter or impact the steps of the method does not patentably distinguish the claimed invention from the prior art in terms of patentability.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a plurality of fields as disclosed in the prior art references because the type of information saved in the fields of the RFQ does not functionally alter or relate to the steps of the method and merely labeling the items in the field of the RFQ differently from that in the prior art does not patentably distinguish the claimed invention.

Referring to claims 43 and 44:

Beran teaches the RFQ template further comprising a field for quantity of goods ([0029] "On the second HTML page of the request, the requisitioner 300 enters other line item data including the quantity of the goods.").

Referring to claim 45:

Beran discloses a computer implemented method that solicits a response to a request for supplier quotation (RFQ) indicative of terms for delivery of goods or services by a supplier, the method comprising:

providing an RFQ template using an RFQ generation engine at a manufacturer computing system, the RFQ template having a plurality of displayed job information fields including ([0022]-[0030]) "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0025] and "On the second HTML page of the request, the requisitioner 300 enters other line item data including the quantity of the goods"[0029] where the web pages are interpreted as an RFQ template and where "a requisitioner first enters request document data..."[0025] lets the reader understand that the web page requests data through the use of a form, which requests data which is displayed on the form and where the web page is, therefore, a template):

a job category field ([0027]-[0028]) "class and item values"[0027] indicate category, such as paper, as shown in the example in [0028]);

a job description field ([0027]-[0028] "The group and detail digits correspond to specific details regarding the goods that are commonly requested by that particular agency");

a delivery date field ([0025] "delivery dates");

a location field (paragraph 19; "The system administrator can also enter data regarding agency delivery points, local area business preferences, miscellaneous agency-wide default values and any general requirements or instructions for documents originating from the agency."); and

receiving, in the RFQ template, job information pertaining to a requested job ([0022]-[0030] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0025]); and

receiving manufacturer filter criteria indicative of particular suppliers that are authorized to reply to the RFQ template ([0059] "...the system allows buyer and others to create and define customized groupings of vendors and others. Such grouping" may be established for purposes of solicitation, communication, comparative analysis, etc." where the filter criteria is the customized grouping).

Beran discloses an RFQ template with fields for requesting information ([0022]-[0029] "...request document data on an HTML header page..."[0025]). Beran also discloses that a manufacturer can select a supplier to receive an RFQ ([0059] "...the system allows buyer and others to create and define customized groupings of vendors and others. Such grouping" may be established for purposes of solicitation, communication, comparative analysis, etc." where the filter criteria is the customized grouping). Beran does not disclose that the RFQ template has a *field* for the designation of a supplier. However, a person having ordinary skill in the art at the time of the invention would have found it obvious to use Beran's disclosure of fields in an RFQ template to also designate a supplier, as this would make it easy for the user to designate a supplier for the RFQ.

Beran discloses a system that handles documents for requisitioning goods and services. Beran discloses where the document is an RFQ template including the entered job information ([0025]-[0028] "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0027] and where the web page is interpreted as a template). Beran does not disclose saving the document in a data store local to the manufacturer computer system; and sending indexing information for the RFQ template.

However, Hajmiragha discloses a similar system for document management. Hajmiragha teaches

saving the document in a data store local to the manufacturer computer system (col. 5, line 61 thru col. 6, line 8 and col. 7, lines 10-21; "Document publication is the process by which a user extracts a copy of the document" and "Then, the user

appoints a target directory for the file" and "The external document is indexed once and access to the external document is managed by the document manager 21 using the Access Control List facilities." and where the user may save the document in a local data store and then designate the document as an external document); and

sending indexing information for the RFQ template (col. 7, lines 10-21; "The external document is indexed..." and "...access speed to documents externally stored in a repository...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran to incorporate saving the document in a local data store and sending indexing information as taught by Hajmiragha because this would provide a manner for allowing users at a remotely located computer system to perform document management (abstract), thus aiding the client by allowing access as needed.

Beran and Hajmiragha disclose a document management system. Beran and Hajmiragha do not disclose the RFQ template having a field including an award criteria field; receiving award

criteria into the award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the manufacturer computing system, one or more replies to the RFQ template from one or more suppliers; and evaluating the one or more replies based on the award criteria in the RFQ template.

However, Heimermann teaches a similar system which handles documents for requisitioning goods and services. Heimermann teaches

the RFQ template having a field including an award criteria field (col. 29, lines 31-45; "...order-negotiation parameters entered into the Order Negotiations Parameter Setting sub-element (Fig. 2) (28) of the Central Procurement Authority Functions (13) of the Internal Module (2) of the System by C.P.A. officials, the System makes deductive determinations as to which bid to accept to fill orders in a manner optimal for government and similar entities");

receiving award criteria into the award criteria field indicative of criteria considered in awarding the requested job to a supplier (col. 29, lines 31-45; "...order-negotiation

parameters entered into the Order Negotiations Parameter Setting sub-element (Fig. 2) (28) of the Central Procurement Authority Functions (13) of the Internal Module (2) of the System by C.P.A. officials, the System makes deductive determinations as to which bid to accept to fill orders in a manner optimal for government and similar entities");

receiving, at the manufacturer computing system, one or more replies to the RFQ template from one or more suppliers (col. 29, lines 46-56; "...lowest-price bid..."); and

evaluating the one or more replies based on the award criteria in the RFQ template (col. 30, line 51 thru col. 31, line 28; "...the Shipping Facility determines which shipper to whom to award the shipment...").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the system disclosed in Beran and Hajmiragha to incorporate the RFQ template having a field including an award criteria field; receiving award criteria into the award criteria field indicative of criteria considered in awarding the requested job to a supplier; receiving, at the manufacturer computing system,

one or more replies to the RFQ template from one or more suppliers; and evaluating the one or more replies based on the award criteria in the RFQ template as taught by Heimermann because this would provide a manner for automatically making awards of the requested jobs (col. 7, lines 64-67), thus aiding the client by reducing the need for a labor-intensive system (col. 8, lines 60-65).

Referring to claim 46:

Beran teaches wherein the plurality of fields in the RFQ template further comprises an RFQ expiration date field (paragraph 60; "This record will continue to store vendor responses until the bidding closing date specified in the original RFX record" where the bidding closing date is interpreted as the expiration date).

Referring to claim 48:

Beran discloses

sending manufacturer registration information from the manufacturer computing system to a registration component ([0016] "The software system implementation includes an agency registration module 200...the agency registration module 200

allows agencies to initially profile themselves to the commerce system 100, including identifying the system administrator...agency registration module 200 further enables entry of general agency information..." where the agency is the requester and by "profil[ing] themselves," Beran indicates that the information is being provided from the requester computer system, since the user uses the system to provide the information); and

downloading the RFQ generation engine to the manufacturer computing system ([0016] and [0022]-[0026]; "Fig. 2 depicts the preferred software modules and their configuration within the Internet commerce system 100...The software system implementation includes...an agency requisitioner module 208..."[0016] and where using the internet via a web page to request document data as in [0025] requires that the information be downloaded).

Beran discloses a system that handles documents for requisitioning goods and services. Beran discloses where the document is an RFQ template including the entered job information ([0025]-[0028]; "As shown in FIG. 4, a requisitioner first enters request document data on an HTML header page that has been provided to the user/requisitioner 400. The software

enabling the entry of request document data is part of the agency requisitioner module 208. The request document header data for entry preferably includes a reference number for the request document and a confirming number"[0027] and where the web page is interpreted as a template). Beran does not disclose wherein the RFQ generation engine sends the index information to a remote index component over a network.

However, Hajmiragha discloses a similar system for document management. Hajmiragha teaches wherein the RFQ generation engine sends the index information to a remote index component over a network (col. 7, lines 10-21; "The external document is indexed..." and "...access speed to documents externally stored in a repository...").

Referring to claim 49:

Beran discloses the category including a code ([0027]-[0028] "The class and item values preferably correspond to the standard NIGP code of goods and services"[0027]

Referring to claim 50:

Beran discloses the RFQ template further including a quantity of goods ([0029] "On the second HTML page of the request, the

requisitioner 300 enters other line item data including the quantity of the goods.").

Referring to claim 52:

Beran and Hajmiragha do not disclose; however, Heimermann teaches wherein the award criteria received into the award criteria field identifies one or more of the plurality of fields in the RFQ template (col. 30, line 25 thru col. 31, line 6; "...the Shipping Facility determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and where the posting of the request for shipment includes the "specifications as to the shipment" which includes desired date of delivery and the weighting of the terms is indicative of the manner in which the criteria, such as timely delivery, will be considered in awarding the shipping job).

Referring to claim 53:

Beran and Hajmiragha do not disclose; however, Heimermann teaches

receiving, at the manufacturer computing system, one or more replies to the RFQ template from one or more suppliers (col. 29, lines 46-56; "...lowest-price bid..."); and

automatically evaluating, at the manufacturer computing system, the one or more received replies based on the award criteria in the RFQ template and identifying a supplier based on the evaluation (col. 30, line 51 thru col. 31, line 28; "...the Shipping Facility determines which shipper to whom to award the shipment...").

Referring to claim 54:

Beran and Hajmiragha do not disclose; however, Heimermann teaches wherein the indication of criteria received in the award criteria field identifies one or more of the plurality of fields in the RFQ template and being indicative of a manner in which criteria entered into the one or more fields will be considered by a manufacturer in awarding the requested job to a supplier (col. 30, line 25 thru col. 31, line 6; "...the Shipping Facility

determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and where the posting of the request for shipment includes the "specifications as to the shipment" which includes desired date of delivery and the weighting of the terms is indicative of the manner in which the criteria, such as timely delivery, will be considered in awarding the shipping job).

Response to Arguments

Applicant's arguments filed 08 November 2011 have been fully considered but they are not persuasive.

The Information Disclosure Statement submitted on 08 November 2011 has been considered.

The rejections under 35 USC §112 have been withdrawn in light of the amendments and cancellations made by application.

Claim Rejections under 35 USC §103

Applicant first argues that Hajmiragha does not disclose a document template having a plurality of fields. This argument is moot, as Examiner now rejects this claim element on the basis of Beran (see above). Beran discloses such a template in the form of a web page which requests the entry of specific data (see Beran, [0025]-[0029]).

Applicant then argues that Hajmiragha does not disclose saving a document in a local data store. Examiner respectfully disagrees. Hajmiragha states, in col. 5, line 61 thru col. 6, line 8, "Document publication is the process by which a user extracts a copy of the document...Then, the user appoints a target directory for the file." The user is copying the document to a particular location, which is designated by the user. When a user designates a location to save a document, using a computer, the user may designate any networked location, including a local location, to store the document. This is simply the way that computers worked at the time of invention, and continue to work today.

Applicant further argues that Heimermann does not teach that the evaluating is done at the requester computing system. Examiner respectfully disagrees. Heimermann states, in col. 30, line 51 thru col. 31, line 28 that "...the Shipping Facility determines which shipper to whom to award the shipment..." where the Shipping Facility is interpreted as the requester.

Applicant argues similar reasons for claim 13. Examiner responds as above.

With respect to claim 38, applicant additionally argues that the award criteria element is not taught by the prior art. Examiner respectfully disagrees. Heimermann teaches this element in col. 30, line 25 thru col. 31, line 6, which states, "...the Shipping Facility determines which shipper to whom to award the shipment. This decision, however, is not based purely on a lowest-bid criterion. Instead, the decision is based on a number of factors, viz...(3) whether such consolidated shipment and distributed delivery will achieve timely delivery and/or significant cost-savings, and their relative importance-weighting (each of said factors assigned a number, both totaling 100, to express relative weight)"[col. 30, lines 51-65] and where the posting of the request for shipment includes the

"specifications as to the shipment" which includes desired date of delivery and the weighting of the terms is indicative of the manner in which the criteria, such as timely delivery, will be considered in awarding the shipping job.

With respect to claim 45, applicant suggests that the prior art does not teach the supplier pre-designation field and receiving criteria into the field. Examiner respectfully disagrees. Beran discloses an RFQ template with fields for requesting information ([0022]-[0029] "...request document data on an HTML header page..."[0025]). Beran also discloses that a manufacturer can select a supplier to receive an RFQ ([0059] "...the system allows buyer and others to create and define customized groupings of vendors and others. Such grouping" may be established for purposes of solicitation, communication, comparative analysis, etc." where the filter criteria is the customized grouping). Beran does not disclose that the RFQ template has a *field* for the designation of a supplier. However, a person having ordinary skill in the art at the time of the invention would have found it obvious to use Beran's disclosure of fields in an RFQ template to also designate a supplier, as this would make it easy for the user to designate a supplier for the RFQ.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARRIE A. STRODER whose telephone number is (571)270-7119. The examiner can normally be reached on Monday - Thursday 8:00 a.m. - 5:00 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan Mooneyham can be

reached on (571)272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CARRIE A. STRODER/
Examiner, Art Unit 3689

/Dennis Ruhl/
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